

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOMANDO MARK SCOTT,

Defendant.

2:10-CR-00430-PMP-RJJ

**ORDER**

On August 23, 2011, the Honorable Robert J. Johnston United States Magistrate Judge, entered a Report & Recommendation (Doc. #43) recommending that Defendant's Motion to Suppress (Doc. #17) be granted.

On September 9, 2011, Plaintiff United States filed an Objection to the Magistrate Judge's Report & Recommendation (Doc. #46) and on September 26, 2011, Defendant filed a Response to the Government's Objections (Doc. #47).

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 and determines that Magistrate Judge Johnston's Report & Recommendation should be affirmed.

**IT IS THEREFORE ORDERED** that Plaintiff's Objections (Doc. #46) to Magistrate Judge Johnston's Report & Recommendation are **OVERRULED**, and the recommendation of the Magistrate Judge (Doc. #43) is **AFFIRMED**.

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1           **IT IS FURTHER ORDERED** that Defendant Scott's Motion to Suppress  
2 (Doc. #17) is **GRANTED**.

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4 DATED: October 4, 2011.

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PHILIP M. PRO  
United States District Judge